

Appendix 2: Authorities and Approvals for Proposed Action Alternative A (list local, state and federal permits or approvals required)

Title	Agency	Statute / Code	Public Hearing / Public Notice	Applicant	Timeframe
Access Agreement and Memorandum of Understanding	Ben Pencikowski / DNR	N/A	N/A	N/A	Completed
Dam Permit Transfer	DNR	Wis. Stats. 31.21	N/A	DNR	
Dam Removal Permit	DNR	Wis. Stats. 31.185	Hearing or Public Notice as per Wis. Stats. 31.253 <sup>1</sup>	DNR	
NEPA	US <u>FWS</u>	National Environmental Policy Act Part 1500 of the Code of Federal Regulations	News release and public comment period	DNR	Draft
SHSW Compliance	SHSW and Indian tribes	Sec. 106 National Historic Preservation Act, 36 CFR Part 800 Protection of Historic Properties	N/A	DNR	Completed
US Army Corps of Engineers GP/LOP	US ACOE	General Permit/Letter of Permission required for dam removal and stream stabilization	N/A	DNR	
Grading Permit and Unconnected Pond Permit	DNR	Wis. Stats. 30.19	Public Notice in excess of 10,000 sq ft	DNR	
Shoreline Stabilization	DNR	30.12	N/A	DNR	

<sup>1</sup> Wis. Stats. 31.253 provides: “(1) OPPORTUNITY FOR HEARING PRIOR TO DEPARTMENT ACTION. Except as provided under sub. (4), prior to seeking or causing the removal of a dam under this chapter, the Department shall hold a public informational hearing on the proposed removal or publish a class 2 notice under ch. 985 stating that it will seek or cause the removal of the dam without holding a public informational hearing unless a hearing is requested in writing within 30 days after the last publication of the notice....”

Title	Agency	Statute / Code	Public Hearing / Public Notice	Applicant	Timeframe
Shoreland/Floodplain Zoning Permit <sup>2</sup>	Washington County Planning and Parks Dept.	Ch. 23 of Washington County Shoreland Zoning Ordinance (adm. or conditional use permit)	Public hearing before the Washington County Planning, Conservation, and Parks Committee	DNR	

Army Corps of Engineers GP/LOP - General Permit/Letter of Permission required for dam removal and stream stabilization.

Wisconsin Department of Natural Resources – Permit issuance under Section 31.33, of Wisconsin Statutes and plan approval for the removal of a dam on navigable waters according to Section 31.12, of Wisconsin Statutes, WEPA Compliance (Wisconsin Environmental Policy Act – NR 150)

Washington County and Town of Polk - Revise and amend the shoreland wetland and flood plain zoning maps and ordinances as necessary. The Department will conduct the analysis pertaining to these changes. The local units of government will incorporate these changes into their flood plain ordinance through the amendment process. No measurable changes in the flood profile are expected to occur. Approval required to work on state owned right of way, easement and property

Wisconsin Department of Transportation – Approval required to work on state owned right of way, easement and property

United States Fish and Wildlife Service (federal Sport Fish Restoration Funding) – Selection of alternatives and FONSI determination

National Environmental Policy Act (NEPA)

Federal Endangered Species Act

National Historic Preservation Act

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<sup>2</sup> The Shoreland/Floodplain zoning jurisdictional boundary is all lands within 300' of a navigable stream, 1000' from flowages, navigable lakes and ponds, and all lands within the 100-year flood plain. Activities requiring permits from the Washington County Planning and Parks Department include erecting buildings, digging ponds, grading, roads, erosion control structures, etc.

The owner of the property will obtain the permit after filling out an application, along with supplying plot plans and diagrams of the project. Some projects will require only basic drawings, while others may require detailed building and grading plans. In floodplains, structures must meet stringent FEMA requirements. Larger projects often require the application to be reviewed at a hearing before the County Park and Planning Commission.

Following issuance of a shoreland/floodplain permit, but before the project is started, a Land Use Inspector will visit the site to confirm the adequacy of erosion control and other site considerations. Periodic inspections will occur throughout the phases of the project to ensure compliance with the permit.